

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

WILLIAM ROBERT BURDICK and)	
EDNA BURDICK,)	
Plaintiff,)	
)	
v.)	CIVIL ACTION NO. 05-119E
)	JUDGE COHILL
)	Electronically Filed
UNITED STATES OF AMERICA,)	
)	
Defendant.)	

**NOTICE OF ELECTION TO
OPT OUT OF ARBITRATION PROGRAM**

AND NOW comes defendant, United States of America, by its attorneys, Mary Beth Buchanan, United States Attorney for the Western District of Pennsylvania, and Jessica Lieber Smolar, Assistant United States Attorney for said district, and respectfully files the instant Notice, to wit, that the Defendant does not consent to Arbitration in this case.

WHEREFORE, the defendant, United States of America, respectfully elects to opt out of the arbitration program.

Respectfully submitted,
MARY BETH BUCHANAN
United States Attorney

s/Jessica Lieber Smolar
JESSICA LIEBER SMOLAR
Assistant United States
Attorney
United States Post Office &
Courthouse
700 Grant Street, Suite 4000
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CERTIFICATE OF SERVICE

I hereby certify that on the 25th day of July, 2005, a copy of the foregoing pleading was electronically filed and/or mailed, postage-prepaid, to:

Christina S. Nacopoulos, Esq.
1001 State Street, Suite 1400
Erie, PA 16501

s/Jessica Lieber Smolar
JESSICA LIEBER SMOLAR